

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Kathy Kerr,

Plaintiff,

v.

Monterey Financial Services, Inc.,

Defendant.

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: Civil Action No.: 1:16-cv-04146-FB-ST
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STIPULATION OF DISMISSAL

WHEREAS, the parties to the above-entitled action have resolved the issues alleged in the Complaint in this action and have negotiated in good faith for that purpose; and

WHEREAS, none of the parties to the above-captioned action is an infant or incompetent person; and

WHEREAS, the parties in the above-captioned action wish to discontinue the litigation.

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel as follows that, pursuant to FRCP 41(a)(1)(A)(ii), the above-captioned action is hereby dismissed in its entirety with prejudice and without costs to any party. The Court will retain jurisdiction to enforce the terms of the settlement agreement.

Kathy Kerr

Monterey Financial Services, Inc.

/s/ Sergei Lemberg

/s/ Brendan H. Little

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SO ORDERED

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2017, a true and correct copy of the foregoing Stipulation of Dismissal was served electronically by the U.S. District Court for the Eastern District of New York Electronic Document Filing (ECF) system and that the document is available on the ECF system.

/s/ Sergei Lemberg
Sergei Lemberg, Esq.